

Cantor et al.
Application no. 09/826,731



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RESPONSE TO OFFICE ACTION

Application No.: 09/826,731 filed 4/05/2001

Applicants: Cantor et al.

Examiner: Michael V. Meller

Art Unit: 1651

The Examiner indicates the need for restriction of claims under 35 U.S.C. 121, stating that claims 17-19 are distinct from claims 1-16 and therefore represent a separate invention. He further indicates the need to elect a single disclosed species of respiratory disorder for prosecution on the merits to which the claims shall be restricted if the generic claim (#5) is not allowable.


In response to the Examiner's remarks, the applicants elect to cancel claims 17-19. Furthermore, applicants elect pneumonia as the disclosed species of respiratory disorder for prosecution on the merits, as embodied in claim #7 as follows:

A method of claim 5, wherein the respiratory disorder is pneumonia due to viruses, bacteria, or fungi, including pneumonias related to HIV-induced immunodeficiency.

If, for any reason, the Examiner does not believe that these actions are an adequate response to the issues he has raised, it is requested that constructive assistance be provided to correct any remaining problem.

Respectfully,


Jerome Cantor


Bronislava Shteyngart

242 92nd Street
Brooklyn, New York 11209
Telephone: 718-283-7154